

**REMARKS**

Claims 43, 47, 50, 51, 53 and 54 are amended. Claim 56 is newly added. Claim 42 is withdrawn from consideration as being directed to a non-elected species. Claims 1-37 have been previously cancelled. Claims 38-41 and 43-56 are under examination in this application.

Support for new claim 56 is found, for example, in claim 45 and elsewhere throughout the specification. The amendments to claims 43, 47, 50 and 51 are made to correct grammatical errors. The amendments to claims 53 and 54 are made to correct claim dependency. No new matter is added by way of this amendment and entry is respectfully requested.

**RESTRICTION**

The application has been held to contain claims directed to allegedly patentably distinct species: water-soluble sulfamic acid compounds (claim 41) and oil-soluble sulfamic acid compounds (claim 42). In reply, Applicants elect "water-soluble," claim 41. In view of the election, claim 42 is withdrawn from examination as being directed to a non-elected species.

Claim 45 has been held to be generic to the disclosed patentably distinct species: water soluble macronutrients and micronutrients. Election of species has been required. In reply, Applicant provisionally elects iron carbonates. Newly added claim 56 is readable upon current claim 47.

Upon allowance of a generic claim, Applicant is entitled to consideration of claims to additional species which depend from, or otherwise require, all the limitations of an allowable generic claim as provided by 37 C.F.R. § 1.141.

### **TRAVERSAL OF THE ELECTION REQUIREMENTS**

Election of a single species for prosecution on the merits is required from among the species of claim 45. According to the Examiner, the species are independent or distinct because each has a different chemical structure which imparts different chemical and physical properties.

However, a search covering "plant growth promoters" would cover most, if not all, of the species claimed in claim 45. Thus, separate searches for each claimed species would not be necessary.

Election of species is said to be justified by the Examiner between the claim 41 (water-soluble sulfamic acid compounds) and claim 42 (oil-soluble sulfamic acid compounds). According to the Examiner, the water-soluble and oil-soluble species are independent or distinct because "...it is self-evident that they have different physical [sic] due to different chemical properties which impart different physical and chemical properties to the total composition claimed." However, a search covering sulfamic acid compounds would cover both water soluble and oil soluble sulfamic acid compounds, indicating a separate search for each is not necessary.

Further, Applicant reminds the Office of MPEP § 803, which requires the Examiner to search all claimed aspects of an invention, unless to do so would entail a "serious burden." The Examiner has not presented evidence as to how a search of all of the species of claim 45 (as well as the "water-soluble sulfamic acids" and "oil-soluble sulfamic acids" claims 41 and 42, respectively) would entail the requisite "serious burden." The subject matter of the claims as a whole can easily be searched simply by performing a broader search.

Hence, it is urged as appropriate that all of claims 38-56, including withdrawn claim 42, be searched and examined in their entirety without further delay as the Examiner has

failed to demonstrate a "serious burden" would ensue if election were not required.

Reconsideration and withdrawal of the species election requirement is respectfully requested.

Applicants hereby petition for the Commissioner to charge any additional fees or any underpayment of fees which may be required to maintain the pendency of this case or credit any overpayment to the credit card number listed on a separate page of the transmittal papers. In the event of any failure of the credit card account, the fees may be charged or credited to the Deposit Account No. 04-1061.

Respectfully submitted,

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